

majority of your Committee and report it back to the Senate with the recommendation that it do not pass.

PARR,  
HYER.

### SIXTEENTH DAY.

Senate Chamber,  
Austin, Texas,

Tuesday, January 29, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent—Excused.

Neal. Parr.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

### Petitions and Memorials.

(See Appendix.)

### Committee Reports.

(See Appendix.)

### Bills and Resolutions.

By Senators Neal and Thomason:

S. B. No. 355, A bill to be entitled "An Act amending Section 25 of Chapter 122, of the General Laws of the Regular Session of the Thirty-ninth Legislature, relating to tick eradication among live stock, so as to include Cherokee, Rusk, Panola and Nacogdoches Counties in that territory in which systematic tick eradication work is carried on and

provided for, the purpose of this Act being to add said counties to that territory described in said Act as being west of the Brazos River and north and west of a line described in the Act as running from the northwest corner of Robertson County to the southeast corner of Harrison County as set out in detail in Section 25 of said Act as it now exists; and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Small:

S. B. No. 356, A bill to be entitled "An Act providing for the continuance of the trial of any civil or criminal action or matter in probate, pending in any court of this State while the Legislature is in session, where it appears by affidavit that a party to such cause is a member of the Legislature and is in attendance thereon, or where it appears that an attorney for any party to such an action is a member of the Legislature, and is in attendance on a session of the Legislature, and that a fair and proper trial cannot be had in absence of such party or attorney, and providing that where such showing is made by affidavit in any cause same shall be continued until ten days after the adjournment of the Legislature, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Miller and Wirtz:

S. B. No. 357, A bill to be entitled "An Act amending H. B. No. 50, Chapter 270 of the General and Special Laws passed by the Fortieth Legislature of the State of Texas at its regular session so as to repeal Sections 3, 5, 6, 7, 8, 9, 10, and 11 of said Act and adding a new section to be known as Section 5 to provide that any person, firm or corporation, or association or persons, shall have the right to use any of the public roads or highways of this State for the purpose of operating motor busses for hire who shall comply with all remaining provisions of said Act and the regulations of the Railroad Commission lawfully enacted under such remaining provisions thereof; and declaring an emergency."

Read first time and referred to

Committee on State Highways and Motor Traffic.

By Senator Thomason:

S. B. No. 358, A bill to be entitled "An Act amendatory of Articles 2774, 2777, 2808, and 2922e, Revised Statutes 1925, providing for the appointment or election and term of office of school trustees in all independent, consolidated and rural high school districts; adjusting the term of office of trustees now in office; etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Holbrook:

S. B. No. 359, A bill to be entitled "An Act amending Article 7005, Title 121, of the Revised Civil Statutes of 1925, so as to exempt Matagorda County from the provisions of Chapter 7 of Title 121 of the Revised Civil Statutes of 1925 and from all laws regulating the inspection of hides and animals; and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Holbrook:

S. B. No. 360, A bill to be entitled "An Act amending Chapter 7, Title 69 of the Revised Civil Statutes of Texas 1925, by adding thereto a new Article numbered 4192 A, providing that when the estate of a ward shall consist of real or personal property or both and such real property is owned by the ward in common with other heirs, legatees or devisees and it appears to be to the best interest of the ward's estate to convey along with some or all of the other heirs, legatees or devisees such real or personal estate or a part thereof to a corporation chartered under the laws of the State of Texas in exchange for stock in such corporation, it shall be lawful for the guardian of said ward to subscribe for and purchase said corporate stock and convey such real or personal property to such corporation in payment therefor, provided that such guardian shall have first applied to the Probate Court having jurisdiction of said estate and have obtained therefrom, an order approving the sale or conveyance and that said order shall not be granted unless in the opinion of

the court such sale or conveyance to such corporation for its stock is to the best interest of said ward, considering the nature of the corporation and the actual value of its assets and repealing all laws or parts of laws in conflict therewith and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parrish:

S. B. No. 361, A bill to be entitled "An Act repealing H. B. No. 573, Chapter 96, Page 388 of the local and special laws of the Regular Session of the Thirty-fifth Legislature; and declaring an emergency."

Read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Hornsby:

S. B. No. 362, A bill to be entitled "An Act amending Article 1558 of the Penal Code of 1925, relating to the removal and disposition of mortgaged personal property; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senators Beck, Parr and Berkeley:

S. B. No. 363, A bill to be entitled "An Act to provide for the eradication of contagious, infectious and communicable diseases among cattle, horses, mules, asses, sheep, goats, hogs, and other live stock, dogs and fowls, and also other diseases; providing for the establishment of necessary quarantines, and for the treatment, vaccination and testing of domestic animals; providing penalties for violation of quarantines established by the Live Stock Sanitary Commission, and providing penalties for other violations of provisions of this Act; etc., and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Parrish:

S. B. No. 364, A bill to be entitled "An Act amending Article 6562, Chapter 1, Title 113 of the Revised Statutes of the State of Texas of 1925, increasing the pay of the officers and men of the State Ranger force."

Read first time and referred to Committee on Military Affairs.

By Senator Greer:

S. B. No. 365, A bill to be entitled "An Act to amend Article 2700, Revised Statutes 1925, fixing the salaries of county school superintendents; providing for the payment of said salaries; providing for the employment of assistants to the county superintendents; providing for office and traveling expenses for the county superintendents; repealing all laws in conflict herewith; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 366, A bill to be entitled "An Act to provide for the eradication in the State of Texas of the fever-carrying tick, *Margaropus Annulatus*, and making it the duty of the inspectors of the Live Stock Sanitary Commission to supervise the dipping of cattle, horses, mules, jacks and jennets for the eradication of said fever-carrying tick, *Margaropus Annulatus*, from said live stock and from the premises, lands, territory, counties and parts of counties in the State of Texas, and for the removal of exposure to said fever-carrying tick, *Margaropus Annulatus*, and authorizing and requiring said Commission to establish necessary quarantines for the purpose of controlling and restricting the movement of said live stock and for the purpose of preventing the spread of said infection and exposure to said fever-carrying tick, *Margaropus Annulatus*, and to eradicate the same, and requiring the county commissioners' courts to cooperate with said Commission in said work, etc., and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Parr:

S. B. No. 367, A bill to be entitled "An Act to create Willacy County Water Control and Improvement District No. 1, embracing lands in the Counties of Willacy and Hidalgo, in the State of Texas, as a conservation and reclamation district and body politic and corporate, under Section 59, Article 16, of the Constitution,

and defining its boundaries; etc., and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Parr:

S. B. No. 368, A bill to be entitled "An Act to create Hidalgo County Water Control and Improvement District No. 6, in Hidalgo County, Texas; validating and approving all orders made by the commissioners' court of said county in respect to the organization of said district; validating and approving the election held in said district on March 21, 1927, for the confirmation of the formation of said district and the issuance of Fifty Thousand Dollars in preliminary bonds and the levy of a tax in payment thereof; validating and approving the election held within said district on August 27, 1927, for the issuance of bonds in an amount not to exceed One Million Six Hundred Thousand Dollars, and levying of tax in payment thereof; evidencing proof of the publication of constitutional notice required in such cases; and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

#### Senator Cousins Appointed to Committees.

The Chair announced the appointment of Senator Cousins to the following Committees:

Agricultural Affairs, Banking, Civil Jurisprudence, Finance, Labor, Privileges and Elections, State Highways and Motor Traffic.

#### S. J. R. No. 3 Re-Referred.

Senator Love moved that the Committee report on S. J. R. No. 3, be re-referred to Committee on Constitutional Amendments.

The motion prevailed.

#### Simple Resolution No. 48.

Senator Holbrook sent up the following resolution:

Whereas, The Salesmanship Club of the City of Houston made members of the Senate and the House of the Forty-first Legislature, of the State of Texas, its honor guests at its Gridiron Dinner which was held at

the Rice Hotel in the City of Houston on January 19, 1929, and

Whereas, The said Salesmanship Club, assisted by the citizens of Houston, contributed to the expenses of the members of the Legislature in making the trip and entertained them royally while they were in the City of Houston,

Therefore, Be It Resolved, That the Senate of the State of Texas hereby extends its thanks to the said Salesmanship Club and to the City of Houston and to the citizenship generally in said city for said entertainment and other courtesies received while there.

Holbrook, Hornsby, Woodward, Witt, Love, Cunningham, Pollard.

The resolution was read and adopted.

#### Senate Bill No. 213.

The Chair laid before the Senate, as pending business the following bill:

S. B. No. 213, A bill to be entitled "An Act authorizing the Governor to appoint a commission of three citizens of the State of Texas, to acquire, by purchase, condemnation or otherwise, all remaining property now privately owned in the block bounded by Alamo Plaza, Nacogdoches and East Houston Streets, in the City of San Antonio, surrounding the historic Alamo, for the State of Texas; prescribing the duties of such commission, and describing the land to be purchased; authorizing condemnation proceedings; making appropriation for the acquisition thereof and the expenses in connection therewith; directing how and when the same shall be paid for; and declaring an emergency."

Senator Williamson sent up the following amendment:

Amend S. B. No. 213, Page 2, Line 19, by adding as a paragraph following same, the following: "Deed or deeds from the City of San Antonio, conveying to the State of Texas, without cost, good and sufficient title to the city property embraced in said block, shall be delivered by the City of San Antonio to the Attorney General of the State of Texas, to be held by him (until all of the privately owned property in said block shall have been acquired by the State) under the terms of this law. Provided however, that if, for

any reason, all of the privately owned property located in said block shall not be acquired under the provisions of this law within two years from the effective date of this Act, then the Attorney General is directed to deliver back said deed or deeds to the City of San Antonio, which he has held in escrow; the City of San Antonio shall have the full and free use of said property belonging to it during the period of escrow."

WILLIAMSON.

The amendment was read and adopted.

Senator Williamson sent up the following amendment:

Amend S. B. No. 213, Page 2, by adding after the word "property" in Line 5, the words "as well as property belonging to the City of San Antonio."

WILLIAMSON.

The amendment was read and adopted.

Senator Williamson sent up the following amendment:

Amend caption of S. B. No. 213, Page 1, Line 14, by striking out the word "purchased" and inserting the word "acquired" in lieu thereof.

WILLIAMSON.

The amendment was read and adopted.

Senator Williamson sent up the following amendment:

Amend caption of S. B. No. 213, Page 1, Line 10, by inserting after "owned" the words "as well as property belonging to the City of San Antonio."

WILLIAMSON.

The amendment was read and adopted.

Senator Cousins sent up the following amendment:

Amend S. B. No. 213, Page 2, Line 5 by striking out the word "all," in said line and inserting instead "one hundred foot strip of the"

COUSINS.

The amendment was read and defeated.

Senator Pollard sent up the following amendment:

Amend S. B. No. 213 by striking out the words and figures \$1,000,000 wherever they occur and insert in lieu thereof \$825,000.

POLLARD.

Senator Williamson moved to table the amendment.

The motion to table prevailed.

The bill as amended was passed to engrossment.

On motion of Senator Williamson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 213 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Moore.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent—Excused.

Neal. Parr.

The bill was read third time and finally passed by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Nays—1.

Parrish.

Absent—Excused.

Neal. Parr.

Message from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives, Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

By Mr. Hornaday:

H. B. No. 174, A bill to be entitled "An Act validating the creation and organization of San Benito Cameron County Drainage District Number Three, in Cameron County, Texas, as originally created and organized under Article 3, Section 52, of the Constitution of the State of Texas, and validating the bonds heretofore issued by said district and the contracts made and indebtedness incurred by it; defining its boundaries; providing that said district shall be and is converted and created a conservation and reclamation district under Section 59 of Article 16 of the Constitution of the State of Texas and the General Laws not inconsistent therewith."

By Mr. Prendergast:

H. B. No. 84, A bill to be entitled "An Act forbidding drinking of intoxicating liquor on any common carrier, and to amend Article 478 of the Criminal Code."

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

S. J. R. No. 12.

The Chair laid before the Senate on its third reading, and final passage, the following resolution:

S. J. R. No. 12, Proposing an amendment to the State Constitution providing that the term of office of all State, district and county officers, whose term under the present Constitution and laws is less than four years, shall be four years, and that every such officer shall hold his or her office for the remainder of the present term for which he or she was appointed or elected, and thereafter he shall be appointed or elected, as the case may be, for a term of four years; providing for an election on said proposed amendment, and making an appropriation for same.

The resolution was read third time.

On motion of Senator McFarlane, the resolution was laid on the table subject to call.

**Senate Bill No. 19.**

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 19, A bill to be entitled "An Act to amend Article 7257 of the Revised Civil Statutes of 1925, so as to provide that tax collectors shall give receipt for taxes paid, providing the form and content of such receipts, and providing that taxes shall be collected in chronological order in which levied and assessed, prohibiting collectors from receiving payment of taxes for any year if taxes remain unpaid for any prior year; and further providing that any receipt for taxes shall be conclusive evidence of full payment of all taxes of all years prior to and including year that receipt shows taxes paid; and declaring an emergency."

The bill was read second time.

Senator Love sent up the following amendment:

Amend S. B. No. 19 by adding Section 1A as follows:

Section 1A. This Act shall take effect and be in force on and after September 1, 1930, and it shall be the duty of the commissioners' court of each county to require tax collectors to prepare their books and systems of accounting to comply with this Act.

LOVE.

The amendment was read.

**Bills Signed.**

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 18.

H. C. R. No. 6.

**House Bills Referred.**

H. B. No. 84, read and referred to Committee on Criminal Jurisprudence.

H. B. No. 174, read and referred to Committee on State Highways and Motor Traffic.

**Joint Session.**

At 11:00 o'clock a. m., the Chair announced that the hour for the joint session to hear an address by the Honorable Murray Hulbert in accordance with S. C. R. No. 9 had

arrived. The Senate adjourned to the Hall of the House of Representatives.

**After Joint Session.**

The Senate returned from the Joint Session at 11:20 a. m.

**S. J. R. No. 12.**

Senator Parr called up from the table the following resolution:

S. J. R. No. 12, Proposing an amendment to the State Constitution providing that the term of office of all State, district and county officers, whose term under the present Constitution and laws is less than four years, shall be four years, and that every such officer shall hold his or her office for the remainder of the present term for which he or she was appointed or elected, and thereafter he shall be appointed or elected, as the case may be, for a term of four years; providing for an election on said proposed amendment, and making an appropriation for same.

The resolution was finally passed by the following vote:

Yeas—20.

Beck.	Parrish.
Berkeley.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Parr.	Woodul.✓

Nays—4.

Cunningham.	McFarlane.
DeBerry.	Miller.

Absent.

Martin.	Thomason.
Moore.	Woodward.
Patton.	

Absent—Excused.

Neal.

Recess.

On motion of Senator Holbrook, the Senate, at 12:05 o'clock p. m., recessed until 2:00 o'clock p. m.

**After Recess.**

The Senate was called to order at 2:00 o'clock p. m., pursuant to

recess, by Lieutenant Governor Barry Miller.

### Senate Bill No. 19.

The question recurred on Senator Love's amendment to S. B. No. 19.

The amendment was adopted.

Senator Witt moved that further consideration of this bill be indefinitely postponed. The motion was lost.

The bill as amended failed to pass to engrossment by the following vote:

Yeas—9.

Beck.	Martin.
Cousins.	Small.
Cunningham.	Stevenson.
Gainer.	Thomason.
Holbrook.	

Nays—13.

Berkeley.	Pollard.
DeBerry.	Williamson.
Hardin.	Wirtz.
Hornsby.	Witt.
Love.	Woodul.
Moore.	Woodward.
Parrish.	

Absent.

Greer.	Parr.
Hyer.	Patton.
McFarlane.	Russek.
Miller.	Westbrook.

Absent—Excused.

Neal.

Senator Love spread on the Journal a motion to reconsider the vote by which the bill failed to pass to engrossment.

### Senate Simple Resolution No. 49.

Senator Moore sent up the following resolution:

Whereas, The corridors in the rear of the Senate Chamber are cluttered with a collection of dilapidated office furniture and equipment, and

Whereas, The space occupied by this old equipment is necessary for the use of Senate employees, and

Whereas, The Senate has no use for the old equipment,

Therefore, Be It Resolved, That Capt. Holt, Sergeant at Arms of the Senate be, and he is hereby directed

to deliver to the Board of Control the following articles:

Three old pine tables, three old water cooler stands, three old water coolers, one old cabinet, two old typewriter desks, one old table, three old round back pine chairs, two old slate black boards, one old beaver board sign, one piece of linoleum.

To be disposed of by the Board of Control to advantage of the State.

MOORE,  
GAINER,  
McFARLANE.

The resolution was read and adopted.

### Senate Bill No. 22.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 22, A bill to be entitled "An Act prescribing and fixing the number of hours that shall constitute a legal day's work on all work being performed by or on behalf of any county, municipality, or other legal or political subdivision of said State; etc."

The bill was read second time.

Senator Pollard moved to lay the bill on the table subject to call.

On motion of Senator Love, the motion was tabled.

The bill failed to pass to engrossment by the following vote:

Yeas—9.

Berkeley.	Stevenson.
Cousins.	Thomason.
Greer.	Westbrook.
Love.	Woodul.
McFarlane.	

Nays—21.

Beck.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Hardin.	Russek.
Holbrook.	Small.
Hornsby.	Williamson.
Hyer.	Wirtz.
Martin.	Witt.
Miller.	Woodward.
Moore.	

Absent—Excused.

Neal.

### Senate Bill No. 26.

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 26, A bill to be entitled "An Act providing additional compensation for the chief deputy clerk for the Courts of Civil Appeals of this State to be paid from fees collected by the clerks of said courts, and declaring an emergency."

The bill was read second time.

On motion of Senator Love, the bill was laid on the table, subject to call.

#### Simple Resolution No. 50.

Senator McFarlane sent up the following resolution:

Whereas, It has been called to the attention of the members of the Senate that the desks of the Secretaries need repairing in certain instances;

Therefore, Be It Resolved by the Senate of Texas that the Sergeant at Arms be instructed to furnish said repairs to be paid for out of contingent expense fund.

McFARNANE.  
MOORE.

The resolution was read and adopted.

#### Senate Bill No. 22.

Senator Hyer spread on the Journal a motion to reconsider the vote by which the Senate refused to engross S. B. No. 22.

#### S. J. R. No. 7.

Senator Wirtz called up from the table the following resolution:

Proposing an amendment to the State Constitution providing that the Permanent University Fund shall be invested in bonds of the United States, the State of Texas or counties of said State, or in school bonds of municipalities or in bonds of any city of this State having a population of 10,000 or more according to the latest United States census, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1926, and amendments thereto.

Senator Pollard sent up the following amendments:

Amend Section 1 of Joint Resolution No. 7 by adding after the words "U. S. Census," on Line 29, Page 1, of original bill, the words, "or in obligations and pledges issued by the Board of Regents of the University of

Texas, or secured by such obligations and pledges, for the construction of dormitories and other buildings for the use of the University of Texas."

The amendment was read and adopted.

Amend the Title on Line 5, Page 1, by adding after the words "U. S. Census," the words "or in obligations and pledges issued by the Board of Regents of the University of Texas, or secured by such obligations and pledges, for the construction of dormitories and other buildings for the use of the University of Texas."

The amendment was read and adopted.

Amend Section 2 of Joint Resolution No. 7 by adding after the words, "U. S. Census," on line 24, Page 2, the words, "or in obligations and pledges issued by the Board of Regents of the University of Texas, or secured by such obligations and pledges, for the construction of dormitories and other buildings for the use of the University of Texas."

The amendment was read and adopted.

Amend Section 2 of Joint Resolution No. 7 by adding after the words, "U. S. Census," on Line 1, Page 3, the words, "or in obligations and pledges issued by the Board of Regents of the University of Texas, or secured by such obligations and pledges, for the construction of dormitories and other buildings for the use of the University of Texas."

The amendment was read and adopted.

Senator Wirtz sent up the following amendment:

Amend S. J. R. No. 7 by adding after the word "the" on Page 2, Line 14, the following: "second Tuesday in November, 1930."

WIRTZ.

The amendment was read and adopted.

Senator Stevenson sent up the following amendment:

By Senator Stevenson:

Amend the caption of S. J. R. No. 7 by striking out the words "having a population of 10,000 or more according to the latest United States census."

The amendment was read and adopted.

The resolution as amended was passed to engrossment.



**Senate Bill No. 159.**

Senator Woodward called up from the table the following bill:

S. B. No. 159, A bill to be entitled "An Act providing that all conservation and reclamation districts organized under the provisions of Chapter 8, Title 128, Revised Civil Statutes of Texas, and/or Chapter 2, Title 128, Revised Civil Statutes of Texas, under the name of Water Improvement Districts, and in the organization of which petitions were signed by more than fifty persons and such petitions were filed in the month of September, 1926, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 159 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Martin.
Berkeley.	McFarlane.
Cousins.	Miller.
Cunningham.	Moore.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Pollard.
Holbrook.	Russek.
Hornsby.	Small.
Hyer.	Stevenson.
Love.	Thomason.

Westbrook.  
Williamson.  
Wirtz.

Witt.  
Woodul.  
Woodward.

Absent—Excused.

Neal.

**Senate Bill No. 51.**

The Chair laid before the Senate, on second reading, the following bill:

S. B. No. 51, A bill to be entitled "An Act making it unlawful for the taking of any chicken, turkey, duck, goose, guinea or other domestic fowl; making such offense a felony; prescribing punishment therefor; and declaring an emergency."

The bill was read second time.

Senator McFarlane moved that further consideration of this bill be indefinitely postponed.

On motion of Senator Woodward, the previous question was ordered.

The motion to indefinitely postpone was lost.

The bill was passed to engrossment by the following vote:

Yeas—21.

Beck.	Parr.
Cousins.	Parrish.
Gainer.	Pollard.
Greer.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodward.
Moore.	

Nays—8.

Berkeley.	Patton.
Cunningham.	Russek.
DeBerry.	Wirtz.
McFarlane.	Woodul.

Absent.

Hardin.

Absent—Excused.

Neal.

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 51 was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Groer.
Berkeley.	Hardin.
Cousins.	Holbrook.
Gainer.	Hornsby.

Hyer.	Pollard.
Love.	Small.
Martin.	Stevenson.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Parr.	Witt.
Parrish.	Woodward.

Nays—6.

Cunningham.	Russek.
DeBerry.	Wirtz.
Patton.	Woodul.

Absent—Excused.

Neal.

Senator Hyer moved the previous question. The previous question was ordered.

Senator Wirtz moved to reconsider the vote by which the previous question was ordered. The motion was lost by the following vote:

Yeas—11.

Beck.	Pollard.
Berkeley.	Russek.
Cunningham.	Williamson.
Gainer.	Wirtz.
Miller.	Woodul.
Patton.	

Nays—19.

Cousins.	Moore.
DeBerry.	Parr.
Greer.	Parrish.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Witt.
Martin.	Woodward.
McFarlane.	

Absent—Excused.

Neal.

The bill was read third time and finally passed by the following vote:

Yeas—22.

Beck.	Moore.
Cousins.	Parr.
Gainer.	Parrish.
Greer.	Pollard.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Witt.
Miller.	Woodward.

Nays—8.

Berkeley.	Patton.
Cunningham.	Russek.
DeBerry.	Wirtz.
McFarlane.	Woodul.

Absent—Excused.

Neal.

**House Bill No. 120.**

Senator Thomason received unanimous consent to take up out of its regular order the following bill:

By Mr. Sanders:

H. B. No. 120, A bill to be entitled "An Act to amend Article 2547 (2443), Chapter 2, Title 47, Revised Civil Statutes of the State of Texas, being Chapter 129, pages 197 to 199, inclusive, of the General Laws of the State of Texas passed by the Fortieth Legislature at the Regular Session, which Article and Chapter provides for the making of bonds for the securing of county deposits, declaring who may make such bonds, and the amount and character of the security that may be accepted by the commissioners' court to secure such deposits."

The committee report was adopted.

The bill was read second time.

Senator Wirtz sent up the following amendment:

Amend H. B. No. 120 by adding after the word "Texas" Line 7, Page 5, the words "bonds, pledges or other securities issued by the Board of Regents of the University of Texas".

WIRTZ.

The amendment was read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Thomason, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 120 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Holbrook.
Berkeley.	Hornsby.
Cousins.	Hyer.
Cunningham.	Love.
DeBerry.	Martin.
Gainer.	McFarlane.
Greer.	Miller.
Hardin.	Moore.

Parr.	Thomason.
Parrish.	Westbrook.
Patton.	Williamson.
Pollard.	Wirtz.
Russek.	Witt.
Small.	Woodul.
Stevenson.	Woodward.

Absent—Excused.

Neal.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

#### Invitation to Tea.

The Chair laid before the Senate the following communication:

Dear Senator Hornsby:

I am giving a tea on Saturday afternoon February 2, from 4 to 6 o'clock in honor of wives and women members of the Texas Legislature. I want to ask you to be good enough to announce my party in the Senate some time today if you will. This will mean a general and personal invitation to each guest. The tea will be given at my home 3008 West Avenue.

Sincerely your friend,  
NELLE H. MCGREGOR.

#### Senate Bill No. 157.

Senator Parrish called up from the table the following bill:

S. B. No. 157, A bill to be entitled "An Act to repeal Sections 14, 15, 16, 17, 18, 19 and 20 of House Bill 23, Chapter 26, General Laws of the Regular Session of the Thirty-ninth Legislature; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 157 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

#### Senate Bill No. 357 Re-Referred.

On motion of Senator Miller, S. B. No. 357 was withdrawn from the Committee on State Highways and Motor Traffic and re-referred to the Committee on State Affairs.

#### Adjournment.

On motion of Senator Holbrook, the Senate, at 3:50 o'clock p. m., adjourned until 10:00 o'clock Wednesday morning.

## APPENDIX.

## Petitions and Memorials.

Houston, Texas, Jan. 22, 1929.  
Honorable Walter F. Woodul, Senator,  
Austin, Texas.  
Honorable Emmett Morse,  
Honorable Rolland Bradley,  
Honorable Walter Acker, Sr.,  
Honorable Mike Hogg, and  
Honorable J. Lewis Thompson, Representatives,  
Austin, Texas.

Gentlemen:

We desire to respectfully request you to support S. B. No. 14, by Love, known as the Freedom of Conscience Bill.

We believe this legislation is fair and just, because it has been contended that a voter may not participate in a primary election of a political party without surrendering freedom of conscience and becoming bound to support all nominees, even if to do so violates his conscience.

We have carefully read the bill, and recall some of the threats made just prior to the November election.

Please print this communication in the Journal.

Sincerely yours,

H. W. HARPER,  
General Chairman B. of R. C.  
B. M. ALVORD,  
General Chairman B. L. F. & E.  
A. E. LAISURE,  
General Chairman O. R. T.

Magnolia, Texas,  
January 28, 1929.

Chairman of the Committee on Elections,

Care Honorable Thomas B. Love,  
Austin, Texas.

Dear Sir:

We, the undersigned are heartily in favor of S. B. No. 14, "the Freedom of Conscience Bill," which is being introduced by Hon. Thomas B. Love, and believe that an overwhelming majority of the Democratic voters of this State favor the passage of such a bill, which was clearly demonstrated in the last general election.

Yours very truly,

W. R. Grogan, O. G. Grogan, J. L. Peebles, L. A. Buckalew, G. R. Grisham, H. N. Grogan, W. E. Latham, T. M. Yancy, Dr. G. R. McPhail, John Vinson, Mrs. H. N. Grogan.

## (TELEGRAM.)

Fort Worth, Texas, Jan. 28, 1929.  
Hon. Tom Love,  
State Senate,  
Austin, Texas.

The General Ministers Association of Fort Worth in regular meeting this morning unanimously endorsed your proposed bill in behalf of the freedom of conscience in Texas.

R. E. SQUIRES, Secretary.

## (TELEGRAM.)

Liberty, Texas, Jan. 28, 1929.  
Chairman of the Committee on Elections.

Care Senator Thomas B. Love,  
Austin, Texas.

Progressive Democrats here urge support of Senator Love's freedom of conscience bill.

MRS. RAY. PARTLOW.

The State of Texas  
County of Dallas

To the Senate of the State of Texas.

We, the undersigned tax-paying citizens of Dallas County Fresh Water Supply District No. 9, situated in Dallas County, Texas, hereby petition your honorable body to pass H. B. No. 61 now pending in the Senate, the purpose of which is to validate our district and the issuance and sale of its bonds.

We believe the purchasers of the bonds who furnished the funds for our improvements should be protected and that the credit of the State's obligations should be maintained.

We have reason to believe, and do believe, that upon the validation of these bonds which will enable the collection of our district taxes our property will be admitted to the City of Dallas to the great benefit of all the citizens of said district.

We believe that a majority of the citizens in said district unless misled on the facts pertaining to said bill would advocate its passage.

Respectfully submitted,  
(Numerously signed.)

## Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, Jan. 29, 1929.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 33

carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 34 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 35 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 36 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 37 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 38 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 39 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 71 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 119 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 143 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 144 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 180 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 191 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 200 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 201 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 207 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 211 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 278 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. 12 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 32 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 213 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

#### Committee Reports.

Committee Room,

Austin, Texas, Jan. 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 1, Proposing an amendment to Section 1, of Article 8, of the Constitution of the State of Texas by providing therein that the Residence Homestead as now defined by the Constitution of this State and Five Hundred Dollars (\$500.00) worth of household and kitchen furniture belonging to each family in this State shall be exempt from taxation for State purposes and shall not be subject to a State Tax, and providing that the Governor shall make the necessary proclamation submitting same to the people and appropriating the sum of Five Thousand Dollars (\$5,000.00) for such purpose."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Jan. 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 3, "Proposing to amend Section 5 of Article IV of the Constitution of the State so as to provide that the Governor shall receive as compensation for his services an annual salary of twelve thousand (\$12,000.00) Dollars, and no more, and providing for an election upon such proposed amendment and making an appropriation therefor."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be indefinitely postponed.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Jan. 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred,

S. J. R. No. 4, "Proposing and submitting to the people of the State of Texas an amendment to Section 10 of Article 1, authorizing the Legislature to enact a law providing for the prosecution of felonies by information as well as by indictment, and to modify the grand jury system."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Jan. 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred,

S. J. R. No. 6, "Proposing an amendment to Section 24 of Article 3 of the Constitution of the State of Texas, increasing the maximum compensation that may be paid to members of the Legislature to Ten Dollars per day for the first ninety days of each session and after that not exceeding Five Dollars for the remainder of the session; providing for an election upon such proposed constitutional amendment and making an appropriation therefor."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Jan. 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred,

S. J. R. No. 9, "Proposing an amendment to the Constitution of the State of Texas fixing the compensation of the Governor."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that the original bill do not pass but that the accompanying committee substitute do pass in lieu thereof.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Jan. 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom was referred,

S. J. R. No. 15, "Providing for a convention to frame a Constitution for the State of Texas."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HORNSBY, Chairman.

Committee Report,

Austin, Texas, Jan. 28, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Agriculture, have had under consideration

H. B. No. 162, A bill to be entitled "An Act to amend Articles 74 and 75 of the Chapter 3, Title 4, of the Revised Civil Statutes of 1925, so as to qualify the kind of pink bollworms that may be declared to be a menace; providing the conditions under which the pink bollworms are to be found; providing compensation for all losses incurred or expenses sustained by all persons, firms or corporations required to comply with the provisions of Chapter 3 of Title 4 of the Revised Civil Statutes of 1925; and enlarging the powers of the Compensation Claim Board; providing for state ownership of fumigation and

sterilization plants; limiting the time of present restrictions and regulations on areas and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass.

CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, Jan. 29, 1929.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 253, A bill to be entitled "An Act amending Article 5196 of the Revised Civil Statutes of Texas, of 1925, so as to define blacklisting, to define discrimination against persons seeking employment, to require statements in writing from corporations and receivers to employees voluntarily leaving their employment, and requiring further that copies of statements shall be given to employees who have lost or are otherwise deprived of the use of the originals, prescribing what facts shall be set out in all such statements; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the following committee amendments:

Committee Amendment No. 1.

Amend the bill in Section One by adding after the word "employee" in line nine of said section, the following:

"Or other persons to whom such former employee has applied for employment."

Committee Amendment No. 2.

Amend the bill in Section Two by replacing the period after end of section with a semicolon and adding the following:

"Provided that if such information is furnished at the request of a person other than the employee, a copy of the information so furnished, shall be mailed to such employee at his last known address."

Respectfully submitted,  
WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, Jan. 29, 1929.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 341, A bill to be entitled "An Act to authorize H. L. McKee, his heirs, legal representatives, and assigns, to construct, maintain and operate a bridge across Lake Sabine at or near Port Arthur, Texas."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,  
Austin, Texas, Jan. 29, 1929.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 296, A bill to be entitled "An Act to provide that in the event there should be awarded to the State of Texas by the final decree of the United States Supreme Court at Washington, D. C. in its final judgment in the suit of the State of Oklahoma against the State of Texas, the United States, Intervenor, any area of land along the 100th degree west longitude adjacent to the east side of the Panhandle of Texas and the west side of the State of Oklahoma, such area shall upon the happening of that event, be and become a portion, part and parcel of and incorporated into the several counties of the State of Texas adjacent thereto for all governmental purposes by the extension of the North and South boundary lines of same east to the true 100th degree of west longitude as may be fixed by said court; to withhold said area for final disposition by future legislation; to provide for the ascertainment of the character of the land and improvements thereon and the kind and character and status of all claims of right and title thereto; to provide for one claiming a right therein to proceed to establish such right, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-



port it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 321, A bill to be entitled "An Act to amend Article 5338 of the Revised Civil Statutes of 1925 so as to withdraw from lease or sale or mineral permit all oil and gas upon and under any river beds and channels belonging to the public school, University, Asylum land, or other public lands within the State of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 80, A bill to be entitled "An Act to amend Article 2095 Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas of 1925 so such article shall provide for the compiling of jury cards for the jury wheel in counties of over one hundred fifty thousand population, placing such compiling under the supervision of the district clerk and providing funds for employment of typists for compiling, and other expense necessary."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

WOODWARD, Chairman.

By Sen. Woodul

S. B. No. 80

A BILL

To Be Entitled

An Act to amend Article 2095 Chapter 7, Title 42, of the Revised Statutes of the State of Texas of 1925 so such article shall provide for the compiling of jury cards for the jury wheel in counties of over one hundred fifty thousand population, placing such

compiling under the supervision of the district clerk and providing funds for employment of typists for compiling, and other expenses necessary.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Article 2095, Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas of 1925, shall hereafter read as follows:

"Article 2095, Cards put in wheel. Said officers shall write the names of all men who are known to be qualified jurors under the law, residing in their respective counties, on separate cards of uniform size and color, writing also on said cards, whenever possible, the post office address of each juror so selected, except that in counties of one hundred fifty thousand population, or over, as shown by the preceding Federal census, the commissioners' court shall provide a sum necessary, not exceeding three hundred (\$300.00) dollars in any one year, for the payment of such typist and other expenses as may be necessary, who shall, under the direction and supervision of the district clerk, type the names and addresses of said qualified voters upon the cards as herein described. The cards containing said names shall be deposited in a circular hollow wheel, to be provided for such purpose by the commissioners' court of the county. Said wheel shall be made of iron or steel and shall be so constructed as to freely revolve on its axle; and shall be kept locked at all times, except when in use as hereinafter provided, by the use of two separate locks, so arranged that the key to one will not open the other lock; and said wheel, and the clasps thereto attached into which the locks shall be fitted, shall be so arranged that said wheel cannot be opened unless both of said locks are unlocked at the time the wheel is opened. The keys to such locks shall be kept, one by the sheriff and the other by the district clerk. The sheriff and the clerk shall not open such wheel, nor permit the same to be opened by any person, except at the time and in the manner and by the persons herein specified; but said sheriff and clerk shall keep such wheel, when not in use, in a safe and secure place, where the same cannot be tampered with."

Committee Room,  
Austin, Texas, Jan. 29, 1929.  
Hon. Barry Miller, Lieut. Governor.

Sir: We, your Committee on Labor, to whom was referred S. B. No. 305,

Have had same under consideration and I am instructed to report it back to the Senate with recommendation that it do pass and be printed in the Journal.

WESTBROOK, Chairman.

By Senators Greer, Small, S. B. No. 3  
Moore, Hornsby, Parrish, Hyer, Russek,  
Wirtz, Love:

#### A BILL To Be Entitled

An Act amending Article 6286, Chapter 2, Title 112 Revised Civil Statutes of the State of Texas of 1925 so as to change the provision of said article relating to the subject to change of general offices, machine shops, or round houses so as to include terminals.

Be it Enacted by the Legislature of the State of Texas:

Section 1. Article 6286 of Chapter 2 of Title 112 Revised Civil Statutes of State of Texas, 1925, is hereby amended so as to hereafter read as follows:

Art. 6286 (6435) (4376) Change of General Offices, etc., Prohibited.—No railroad company shall change the location of its general offices, machine shops, roundhouses or terminals, save with the consent and approval of the Railroad Commission of Texas, and this shall apply also to receivers and to purchasers of the franchises and properties of railroad companies and to new corporations formed by such purchasers or their assigns. The Commission shall not consent to, or approve of, any removal or change of location in conflict with the restrictions of the first article of this chapter. No consent or approval of the Commission shall be required before the return of general offices, machine shops or roundhouses to previous locations when ordered or required under judgments in suits now pending in trial or appellate courts. (Acts. 1915, p. 35.)

#### SEVENTEENTH DAY.

Senate Chamber,  
Austin, Texas,

Wednesday, January 30, 1929.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

#### Petitions and Memorials.

(See Appendix.)

#### Committee Reports.

(See Appendix.)

#### Bills and Resolutions.

By Senator Hornsby:

S. B. No. 369, A bill to be entitled "An Act to amend Article 6338, Title 112, Chapter 6 of the Revised Civil Statutes of Texas as adopted in 1925, so as to permit all private or municipal corporations having the right to condemn property for its corporate uses, when sued for any property occupied by it for any purpose for which it is authorized to condemn same, or for damages thereto, to have the court in which such suit is pending determine all matters in dispute between the parties, including the condemnation of the property, upon petition or cross bill, asking such